

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**JCRLA No.78 of 2006**

***Sujit Xalxo***

....

***Appellant***

M/s. A. K. Mishra and associates, Advocates

*-versus-*

***State of Odisha***

....

***Respondent***

Mr. Janmejaya Katikia, Additional Government Advocate

**CORAM:**

**THE CHIEF JUSTICE**

**JUSTICE R. K. PATTANAIK**

**Order No.**

**ORDER**  
**12.08.2022**

06.

1. This appeal is directed against the judgment dated 12<sup>th</sup> June, 2006 passed by the learned Adhoc Additional Sessions Judge, Bonai in ST No.56/39 of 2003-2004.

2. However, it has been brought to the notice of the Court by the Directorate of Prisons that during the pendency of this appeal, the Government of Odisha in exercise of the powers conferred by Section 432 of the Code of Criminal Procedure, 1973 has remitted the unexpired portion of the sentence passed against the Appellant and ordered his premature release and pursuant thereto, the Appellant has already been released.

3. In view of the above, the appeal has become infructuous and is disposed of as such. However, the Appellant is at liberty to

approach the Court for revival of this appeal, in case he wishes to have the appeal decided on merits.

***(S. Muralidhar)***  
***Chief Justice***

***(R. K. Pattanaik)***  
***Judge***



M. Panda